



PLANNING COMMISSION AGENDA REPORT

III.1.

MEETING DATE: MAY 23, 2005

ITEM NUMBER:

SUBJECT: GENERAL PLAN CONFORMITY RESOLUTION FOR PROPOSED VACATION OF EXCESS PUBLIC RIGHT-OF-WAY AT 197 MAGNOLIA STREET.

DATE: MAY 12, 2005

FOR FURTHER INFORMATION CONTACT: HANH TRAN, ASSISTANT PLANNER
(714) 754-5640

DESCRIPTION

The City of Costa Mesa Engineering Division proposes to vacate excess public right-of-way at 197 Magnolia Street, on the Orange Avenue side.

RECOMMENDATION

Approve by adoption of Planning Commission resolution.

HANH TRAN
Assistant Planner

R. MICHAEL ROBINSON, AICP
Assistant Development Services Director

ANALYSIS

The subject property is a corner lot, bounded by Magnolia Street to the north and Orange Avenue to the east, as shown on Exhibit "B" of the attached resolution. At the request of the Transportation Services Division, the Engineering Division proposes to vacate excess public right-of-way on the Orange Avenue side of the subject property. The excess right-of-way will be reverted back to the underlying fee title owner.

California Government Code Section 65402 requires that public right-of-way or other real property cannot be vacated or abandoned without a finding being made that such vacation or abandonment conforms with the General Plan.

The City's current Master Plan of Highways designates the subject portion of Orange Avenue as a Standard Collector with an ultimate width of 60 feet. There are no public improvements or public utilities located within the 10-foot wide, excess right-of-way. Both the Engineering and Transportation Services Divisions determined that the excess right-of-way is unnecessary for public street and highway purposes.

ENVIRONMENTAL DETERMINATION

This request is exempt from the provisions of the California Environmental Quality Act, under Class 12, Surplus Governmental Property Sales.

CONCLUSION

The proposed vacation of excess public right-of-way conforms with the City's 2000 General Plan.

Attachments: 1. Draft Planning Commission Resolution
 2. City Engineer's memo dated May 2, 2005, including Exhibit "B".

cc: Deputy City Manager - Dev. Svs. Director.
 Assistant Development Services Director
 Assistant City Attorney
 Transportation Services Manager
 City Engineer
 Staff (4)
 File (2)

File: 052305ROW197Magnolia

Date: 051205

Time: 8:30 a.m.

RESOLUTION NO. PC-05-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA FINDING THAT THE PROPOSED VACATION OF EXCESS PUBLIC RIGHT-OF-WAY AT 197 MAGNOLIA STREET IS IN CONFORMANCE WITH THE CITY OF COSTA MESA 2000 GENERAL PLAN.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the Costa Mesa City Council adopted the City of Costa Mesa 2000 General Plan on January 22, 2002; and,

WHEREAS, the Government Code of the State of California, Section 65402, provides in part that a local agency shall not acquire or lease real property, nor abandon or dispose of any real property, nor construct a public building or structure in any county or city, until the location, purpose, and extent of such activity has been reported upon as to conformity with the adopted General Plan applicable thereto; and,

WHEREAS, the City of Costa Mesa proposes to abandon a portion of the excess public right-of-way on the Orange Avenue side of real property located at 197 Magnolia Street, as shown on attached Exhibit "B"; and,

WHEREAS, the excess public right-of-way shall revert to the underlying fee title owner; and,

WHEREAS, the City of Costa Mesa Planning Commission has reviewed the proposed abandonment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby find the proposed vacation of excess public right-of-way from the City of Costa Mesa to the underlying fee title owner conforms with the City of Costa Mesa 2000 General Plan.

PASSED AND ADOPTED this 23rd day of May, 2005

Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA))ss
COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on May 23, 2005, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa Planning Commission